

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

**ELSIE GODFREY, Individually and as Personal
Representative of the Estate of Willie C. Godfrey)
et al.,)**

File No.: 1:00-CV-33

**This document pertains to:)
CAROL MERCER, Individually and as)
Administratrix of the Estate of Billy Mercer,)
deceased,)**

Plaintiffs,)

v.)

ACandS, INC., et al.,)

Defendants.)

ORDER

THIS MATTER is before the Court upon motion of Plaintiff Carol Mercer, individually and as Administratrix of the Estate of Billy Mercer, deceased, and Defendant A.W. Chesterton Company, to dismiss, without prejudice, her claims against Defendant Chesterton.

It appearing that all parties have consented to the relief requested herein,

IT IS THEREFORE ORDERED, ADJUDGED, and DECREED that the claims of Plaintiff Carol Mercer, individually and as Administratrix of the Estate of Billy Mercer, deceased, against Defendant A.W. Chesterton Company are hereby **DISMISSED WITHOUT PREJUDICE**.

Signed: March 22, 2007

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", written over a horizontal line.

Lacy H. Thornburg
United States District Judge

